IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

Ram Chandra vs. State of Rajasthan & Ors.
(S.B.Civil Writ Petition No.6137/06)

Date of Order:- 25.10.2007

HON'BLE MR.JUSTICE SANGEET LODHA

Mr. Rahul Bathi, for the petitioner.
Mrs. R.R. Kanwar, Dy.G.A.
Mr. Subodh Jangid, for the respondents.

BY THE COURT:-

In these writ petition, the petitioner has challenged the validity of bye-laws 9 (3), 11 (1) and (2) (ka) & (kha) of the bye-laws of the Bahala Gram Seva Sahkari Samiti Ltd., Bahala. It appears that the said bye-laws are standard bye-laws applicable to all Gram Seva Sahkari Samities established and registered under the provisions of Rajasthan Co-operative Societies Act, 2001. The writ petition was preferred by the petitioners after the commencement of the election process for elections of the executive committee of the respondent society. No interim relief was granted by this court and later in view of the fact that the elections have already taken place, the prayer for interim relief was rejected by this court vide order dated 27.02.2007. There is no prayer in the writ petition for quashing the election process already concluded. Moreover, any dispute arising in connection with the election of any society can be

referred to the Registrar for decision u/s 58 of the Rajasthan Cooperative Societies Act, 2001. Thus, on the facts and in the circumstances of the case, this Court is not inclined to entertain the abstract challenge to the bye-laws of the societies, in exercise of its extra ordinary jurisdiction under Article 226 of the Constitution of India.

Accordingly, the writ petition is dismissed with no order as to cost.

(SANGEET LODHA),J.